

Attorneys Dckt 650063.402USPC

PTO/SB/01A (08-03)  
Approved for use through 10/31/2007 OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number:

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	A method of modulating epithelial cell activity by modulating the functional levels of sphingosine kinase
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

☒ International Patent Application No. PCT/AU2003/001356 filed 14 October 2003  
☐ The attached application, or

☐ Application No. \_\_\_\_\_, filed on \_\_\_\_\_,

☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one: Jennifer Ruth GAMBLE Citizen of: Australia  
Signature: [Signature] Date: 2/5/05

Inventor two: Mathew VADAS Citizen of: Australia  
Signature: [Signature] Date: 4/5/05

Inventor three: Stuart PITSON Citizen of: Australia  
Signature: [Signature] Date: 4/5/05

☒ Additional inventors or a legal representative are being named on 1 additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FULL NAME OF INVENTOR(S)**Inventor one: Pu XIA Citizen of: AustraliaSignature: [Signature] Date: 4/5/05Inventor two: Vidya LIMAYE Citizen of: AustraliaSignature: [Signature] Date: 8/6/05

Inventor three: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.

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<b>ELECTION AND POWER OF          ATTORNEY and          CORRESPONDENCE ADDRESS          INDICATION FORM</b>	Application Number	
	Filing Date	
	First Named Inventor	Jennifer Ruth GAMBLE
	Title	A method of modulating epithelial cell activity by modulating the functional levels of sphingosine kinase
	Art Unit	
	Examiner Name	
	Attorney Docket Number	650063.402USPC

I hereby appoint:

☒ Practitioners at Seed IP Law Group PLLC, Customer Number: 00500

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

Address

City State ZIP

Country

Telephone Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ As assignee of record of the entire interest I/we hereby elect, under 37 CFR 3.71, to prosecute the application to the exclusion of the inventor(s).

**SIGNATURE of Applicant or Assignee of Record (if assignee, put name, title and company name in "Name" space below)**

Name	MEDVET SCIENCE PTY LTD
Signature	<i>Dr. James S. Smith</i>
Date	9 JUNE 2005

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 1 form is submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 470073\_1.DOC

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COPY

ASSIGNMENT

WHEREAS, I/WE

Jennifer Ruth GAMBLE, an Australian citizen of 8 Branch Road, Stirling, South Australia 5152, Australia,  
Mathew VADAS, an Australian citizen of 8 Branch Road, Stirling, South Australia 5152, Australia;  
Stuart PITSON, an Australian citizen of 1B Threlfall Avenue, Norwood, South Australia 5067, Australia;  
Pu XIA, an Australian citizen of 97 Shakespeare Avenue, Magill, South Australia 5072, Australia;  
Vidya LIMAYE, an Australian citizen of 30 6<sup>th</sup> Avenue, St. Peters, South Australia 5069, Australia

hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in **A method of modulating epithelial cell activity by modulating the functional levels of sphingosine kinase**

the specification of which:

- (a) ☐ was executed on even date herewith;  
(b) ☒ was filed on 14 April 2004 as ☐ Application No. \_\_\_\_\_ or  
☐ Express Mail No., as Application No. not yet known \_\_\_\_\_ and was amended  
on \_\_\_\_\_ (if applicable); or  
(c) ☒ was described and claimed in PCT International Application PCT/AU2003/001356  
filed on 14 October 2003 and as amended under PCT Article 19 on \_\_\_\_\_ (if  
any) and/or under PCT Article 34 on \_\_\_\_\_ (if any).

AND WHEREAS,

**MEDVET SCIENCE PTY. LTD.**, of 38 Payneham Road, Stepney, South Australia 5069, Australia

(hereinafter referred to as Assignee) desires to acquire the entire rights, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFOR, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This 7<sup>th</sup> day of June, 2005

Witness [Signature]

Signature of Jennifer Ruth GAMBLE

This 4<sup>th</sup> day of May, 2005

Witness [Signature]

[Signature]  
Signature of **Mathew VADAS**

This 4<sup>th</sup> day of May, 2005

Witness [Signature]

[Signature]  
Signature of **Stuart PITSON**

This 11<sup>th</sup> day of May, 2005

Witness [Signature]

[Signature]  
Signature of **Pu XIA**

This 8<sup>th</sup> day of June, 2005

Witness [Signature]

[Signature]  
Signature of **Vidya LIMAYE**

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: MEDVET SCIENCE PTY LTDApplication No./Patent No.: 14 April 2004

Filed/Issue Date: \_\_\_\_\_

Entitled: A method of modulating epithelial cell activity by modulating the functional levels of sphingosine kinaseMedvet Science Pty. Ltd.

(Name of Assignee)

a

company

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From:

To:

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From:

To:

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From:

To:

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title noted in B above are attached.**[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]**

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

9 JUNE 2005

Date

x DR FRANCES RUYETT

Typed or printed name

(206) 622-4900

Telephone Number

x Dr James J. H.

Signature

x CEO

Title

THIS Collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No.

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